

DKT. 30435.69USD1/SBA/SH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert E. Reiter et al.
Serial No : 09/855,153 **Examiner:** L. Helms, Ph.D.
Filed : May 14, 2001 **Group Art Unit:** 1642
For : PSCA: PROSTATE STEM CELL ANTIGEN AND USES
THEREOF

55 S. Lake Avenue, Suite 710
Pasadena, California 91101
March 25, 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

REQUEST FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. §§1.48(b) and (c)

Applicants submit this Request to correct the inventorship of the claims in the subject application under 37 C.F.R. §§1.48(b) and (c). Claims 53, 55-85 are pending in the subject application. These Petitions are being timely filed.

In accordance with the requirements of 37 C.F.R. §§1.48(b) and (c), Applicants provide the following:

1. Executed Combined Declaration and Power of Attorney in accordance with 37 C.F.R. §1.48(c) (Exhibit 1);
2. Executed Written Consent of Assignees under 37 C.F.R. §1.48(c) (Exhibit 2);
3. Copy of a recorded Assignment for U.S. Serial No. 09/564,329 to which the subject application claims priority. The Assignment for 09/564,329 is recorded by the U.S. Patent Office at Reel 011417, Frame 0860 (Exhibit 3);

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4. fee of \$130.00 under 37 C.F.R. §1.17(i) for 37 C.F.R. §1.48(b); and
5. fee of \$130.00 under 37 C.F.R. §1.17(i) for 37 C.F.R. §1.48(c).

The proper and correct inventors in view of the pending claims are: (1) Robert E. Reiter, (2) Owen N. Witte, and (3) Arthur B. Raitano. Please change the inventorship accordingly.

Background

The correct inventors were properly named in the parent application U.S. Serial No. 09/564,329, filed May 3, 2000, to which the subject application is a duplicate and a divisional application under 37 C.F.R. §1.53(b). However on May 14, 2001, as a preliminary amendment, Applicants cancelled claims 2-52 and added new claims 53-69. On November 27, 2002, Applicants amended claim 53 and cancelled claims 1 and 54. Additionally, on February 13, 2003, Applicants amended claims 53, 55-69 and added claim 70. Additionally, today Applicants added new claims 71-85. Of these claims, claims 53, 55-85 are now pending.

Request for Correction of Inventorship Under 37 C.F.R. §1.48(b)

Applicants submit this request to correct inventorship for the subject application under 37 C.F.R. §1.48(b) to remove Douglas C. Saffran and Aya Jakobovits as inventors of the subject application, in view of the claims now pending. During prosecution, claims were amended and canceled, thereby requiring deletion of inventors under 37 C.F.R. §1.48(b).

The subject application was originally filed with claims 1, 53-69. In the course of prosecution, Applicants cancelled claims 1 and 54 and added new claims 70-85.

Presently, claims 53, 55-85 are being examined.

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Douglas C. Saffran and Aya Jakobovits are not inventors of claims 53, 55-85. Therefore, Applicants respectfully request that Douglas C. Saffran and Aya Jakobovits be removed as inventors of the claims in the subject application.

In accordance with 37 C.F.R. §1.48(b), authorize the Patent Office to charge Applicant's Deposit Account No. 50-0306 in the amount of \$130.00 under 37 C.F.R. §1.17(i). No fee, other than the fee under 37 C.F.R. §1.17(i), is deemed necessary in connection with the filing of this Request under 37 C.F.R. §1.48(b). If any fee is necessary, the Patent Office is authorized to charge any additional fee to Deposit Account No. 50-0306.

Request for Correction of Inventorship Under 37 C.F.R. §1.48(c)

Additionally, Applicants submit this request to correct inventorship of the subject application under 37 C.F.R. §1.48(c) in view of the claims now being examined.

As originally filed, there was no error in excluding Arthur B. Raitano from the inventorship of the subject application. During prosecution, claims were amended and canceled, thereby requiring addition of inventors under 37 C.F.R. §1.48(c).

Arthur B. Raitano, together with Robert E. Reiter and Owen N. Witte are inventors of pending claims 53, 55-85. Therefore, Applicants respectfully request that Arthur B. Raitano be added as an inventor of the claims in the subject application.

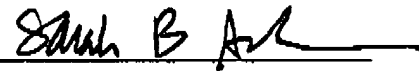
The addition of Arthur B. Raitano is necessitated by amendment of the claims. The error of inventorship occurred without deceptive intent on the part of Arthur B. Raitano.

A Declaration executed by Arthur B. Raitano is annexed hereto (Exhibit 4).

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Furthermore, consent of both Assignees, The Regents of the University of California and Agensys, Incorporated is attached hereto as Exhibit 2. In accordance with 37 C.F.R. §1.48(c), Applicants authorize the Patent Office to charge Applicant's Deposit Account No. 50-0306 in the amount of \$130.00 under 37 C.F.R. §1.17(i). No fee, other than the fee under 37 C.F.R. §1.17(i), is deemed necessary in connection with the filing of this Request under 37 C.F.R. §1.48(c). If any fee is necessary, the Patent Office is authorized to charge any additional fee to Deposit Account No. 50-0306.

Respectfully submitted,



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